

DEPARTMENT OF JUSTICE GAMBLING CONTROL DIVISION

REPORTING FORM FOR:

- 1) A NONINSTITUTIONAL LOAN,
- 2) OTHER NONINSTITUTIONAL SOURCE OF FINANCING, OR
- 3) TRANSFER OF SECURITY INTEREST TO NONINSTITUTIONAL SOURCE

This form must be used to notify the Gambling Control Division of the gambling licensee's/applicant's intent to acquire a noninstitutional loan, to acquire other noninstitutional financing, or to transfer a security interest to a noninstitutional source. These terms are defined below and are included, along with other information in this application, to assist you in completing this application only and are not intended as a substitute for a careful examination of the gambling laws, rules, and the rights or obligations arising out of applying for gambling licensure, or for seeking, where individual circumstances warrant, the independent advice of an attorney. Except for certain investments by owners, approved change bank loans from route operators to gambling operators, and other sources of financing excluded under Mont. Admin. R. 23.16.120(4),(5),(6) and (7), all licensees/applicants must complete this form.

"Financing" means investments, loans, deferred payment agreements for the purchase of real property (or tangible and intangible personal property or past or prospective services), and gifts, except tangible personal property intended and used for decoration or display on the premises.

"Noninstitutional lender" or **"noninstitutional source"** means a person, other than a state or federally regulated banking or financial institution, who loans money or supplies financing to an applicant or a licensee.

"Security interest" means an interest that is reserved or created by an agreement that secures payment or performance of an obligation.

NOTE: Information sought by this form is required by Mont. Admin. R. 23.16.120. This form must be completed and signed under oath and submitted to the Division within 30 days after the licensee/applicant signs an agreement to acquire a noninstitutional loan, other noninstitutional financing, or to transfer a security interest. Before any funds from the loan may be received by the applicant/licensee or the transfer of the security interest is finalized, the Division must issue written confirmation approving the loan, financing or transfer of a security interest. The Division may disapprove any transaction if it involves an unsuitable source of funding or violates any statute or rule.

1. Applicant or gambling licensee of record: _____

2. Business name: _____

3. Business phone number.: _____

4. Gambling license number: _____

5. Type of transaction and amount (*check appropriate box(s)*):

Acquisition of loan from a noninstitutional lender or source

Acquisition of other financing from a noninstitutional source (gift, deferred payment agreement, etc.)

Transfer of security interest

Amount: \$ _____

6. State the purpose of the loan or other source of financing or transfer of the security interest: (*Please be specific {example: to buy the business or to purchase video gambling machines.}*)

7. Provide the following information:

| DOLLAR AMOUNT OF SECURITY INTEREST | DESCRIPTION OF PROPERTY SUBJECT TO SECURITY INTEREST |
|------------------------------------|--|
| \$ | |
| \$ | |
| \$ | |
| \$ | |

8. List the name(s), address, and social security number or federal tax identification number for all persons providing the loan or financing or acquiring a security interest and that person's source of funds (for example checking, savings or investment account, etc.).

| | |
|---|--|
| NAME | |
| ADDRESS | |
| SOCIAL SECURITY NO. OR FEDERAL I.D. NO. | |
| SOURCE | |

| | |
|---|--|
| NAME | |
| ADDRESS | |
| SOCIAL SECURITY NO. OR FEDERAL I.D. NO. | |
| SOURCE | |

| | |
|---|--|
| NAME | |
| ADDRESS | |
| SOCIAL SECURITY NO. OR FEDERAL I.D. NO. | |
| SOURCE | |

9. Attach a copy of the loan agreement and/or promissory note, deferred payment agreement, gift assignment and/or other applicable contracts or documents. In the case of a transfer of a security interest, attach a copy of the security agreement and/or the uniform commercial code filings.

I declare under the penalties of false swearing and/or the denial/revocation of my gambling licenses that I have examined this reporting form, including any attachment(s), and that the responses are true, correct and complete. I understand if this application or attachment(s) contains false information I am subject to the criminal penalties of sections 45-7-202, 45-7-203, and 45-7-208, Montana Code Annotated, and/or denial/revocation of my gambling license(s).

Signature of Applicant/Licensee Date

Print Name of Person Signing

Notary Seal

On this _____ day of _____ 20____

Personally appeared _____

Before me a Notary Public for the State of _____

(Notary Signature)

(Print Name of Notary)

My Commission Expires _____ (Month, Day & Four Digit Year)